

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Case No. 10-20112
Hon: AVERN COHN

D-2, ABEL RUIZ,

Defendant.

**ORDER DECLARING MOTION TO SUPPRESS EVIDENCE OBTAINED AS A
RESULT OF THE ILLEGAL STOP OF RUIZ AS MOOT (D/E 19)**

Defendant, Abel Ruiz, has moved to suppress evidence obtained as a result what he says was an illegal stop, on June 18, 2008 (Doc. 19). At a hearing on July 01, 2010, the government stated on the record that it does not intend to introduce evidence obtained as a result of the stop. Rather, the government at most intends only to introduce the testimony of the police officer who made the stop, identifying Ruiz as the driver of the car stopped. This is explained in the government's brief in opposition to the motion (Doc. 24). A defendant's identity cannot be suppressed, even if it is obtained as a result of an illegal seizure. See United States v. Navarro-Diaz, 420 F.3d 581, 584-88 (6th Cir. 2005).

Accordingly, the motion is MOOT.

SO ORDERED.

Dated: July 14, 2010

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, July 14, 2010, by electronic and/or ordinary mail.

s/Michael Williams
Case Manager, (313) 234-5160